

House Amendment 1258

PAG LIN

1 1 Amend Senate File 151, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 2, by inserting before the word
1 4 <RAILWAY> the following: <CONDEMNATION PROCEEDINGS
1 5 AND>.
1 6 #2. Page 2, by inserting after line 13 the
1 7 following:
1 8 <Sec. _____. Section 6B.14, subsection 2, Code 2009,
1 9 is amended to read as follows:
1 10 2. Prior to the meeting of the commission, the
1 11 commission or a commissioner shall not communicate
1 12 with the applicant, property owner, or tenant, or
1 13 their agents, regarding the condemnation proceedings.
1 14 The commissioners shall meet in open session to view
1 15 the property and to receive evidence, ~~but may and~~
1 16 ~~shall deliberate and vote in closed open session.~~
1 17 ~~When deliberating in closed session, the meeting is~~
1 18 ~~closed to all persons who are not commissioners except~~
1 19 ~~for personnel from the sheriff's office if such~~
1 20 ~~personnel is requested by the commission. After~~
1 21 ~~deliberations commence, the commission and each~~
1 22 ~~commissioner is prohibited from communicating with any~~
1 23 ~~party to the proceeding unless such communication~~
1 24 ~~occurs in the presence of or with the consent of the~~
1 25 ~~property owner and the other parties who appeared~~
1 26 ~~before the commission or their agents. However, if~~
1 27 ~~the commission is deliberating in closed session, and~~
1 28 ~~after deliberations commence the commission requires~~
1 29 ~~further information from a party or a witness, the~~
1 30 ~~commission shall notify the property owner and the~~
1 31 ~~acquiring agency that they are allowed to attend the~~
1 32 ~~meeting at which such additional information shall be~~
1 33 ~~provided but only for that period of time during which~~
1 34 ~~the additional information is being provided. The~~
1 35 ~~property owner and the acquiring agency shall be given~~
1 36 ~~a reasonable opportunity to attend the meeting. The~~
1 37 ~~commission shall keep minutes of all its meetings~~
1 38 ~~showing the date, time, and place, the members~~
1 39 ~~present, and the action taken at each meeting. The~~
1 40 ~~minutes shall show the results of each vote taken and~~
1 41 ~~information sufficient to indicate the vote of each~~
1 42 ~~member present. The vote of each member present shall~~
1 43 ~~be made public at the open session. The minutes shall~~
1 44 ~~be public records open to public inspection.>~~
1 45 #3. Page 5, by inserting after line 16 the
1 46 following:
1 47 <Sec. _____. EFFECTIVE DATE. The section of this
1 48 division of this Act amending section 6B.14, being
1 49 deemed of immediate importance, takes effect upon
1 50 enactment.>
2 1 #4. Title page, line 1, by inserting after the
2 2 word <relating> the following: <to condemnation
2 3 proceedings under eminent domain and>.
2 4 #5. Title page, line 5, by inserting after the
2 5 word <fund> the following: <, and providing an
2 6 effective date>.
2 7 #6. By renumbering as necessary.
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2 10
2 11 GRASSLEY of Butler
2 12 SF 151.503 83
2 13 dea/nh/12502